

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD JOSEPH MILLER,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 05-360J
)	
SUPERINTENDENT DAVID GOODE,)	
et al.,)	
Defendants.)	

ORDER

AND NOW, this 12th day of April, 2006, after the plaintiff, Edward Joseph Miller, filed an action in the above-captioned case, and after a motion to dismiss was submitted by defendant David Goode, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiff in the nature of an amended complaint, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 20), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant David Goode's motion to dismiss (Docket No. 17) is granted.

IT IS FURTHER ORDERED that the amended complaint is dismissed as to all remaining defendants.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is fluid and cursive, with a large initial "K" and "G".

Kim R. Gibson
United States District Judge

cc: Edward Joseph Miller
EW-7061
SCI Cresson
P.O. Box A
Cresson, PA 16699-0001